

3/21/19

2:18 P.M.

Chapter No. 371  
19/HR12/R1274SG  
CB 1 LR

## ***HOUSE BILL NO. 874***

Originated in House



Clerk

HOUSE BILL NO. 874

AN ACT TO AMEND SECTION 19-25-73, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$6.00 TO \$15.00 PER DAY PER PRISONER THAT COUNTY SHERIFFS MAY EXPEND UPON FEEDING PRISONERS HOUSED WITHIN COUNTY JAILS WHENEVER SUCH SHERIFFS PURCHASE FOOD, IN THE NAME OF THE COUNTY, FOR THE PRISONERS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** Section 19-25-73, Mississippi Code of 1972, is amended as follows:

19-25-73. (1) In respect to the feeding of prisoners by the sheriff's office, the board of supervisors is authorized to choose one (1) of the following methods:

(a) It shall only contract with a local caterer or restaurant owner to bring in food for the prisoners, and the contract shall be awarded after taking bids as provided by law for other county contracts.

(b) The sheriff shall purchase, in the name of the county, all necessary food and related supplies to be used for feeding prisoners only in the county jail. All purchases of such food and supplies shall be invoiced to the county and placed on

the claims docket of the board of supervisors for disposition in the same manner as all other claims against the county. All wages and other compensation for services rendered to the sheriff in connection with the feeding of prisoners shall be submitted to and approved by the board of supervisors as other wages or compensation paid to employees of the sheriff. The total expenditure for such purpose under this method shall not exceed \* \* \* Fifteen Dollars (\$15.00) per day per prisoner, except as provided in subsection (3) of this section. All payments and reimbursements from any source for the keeping of prisoners shall be received and paid into the general fund of the county.

(c) The board of supervisors may negotiate a contract with the board of trustees of the local public community hospital to bring in food for the prisoners.

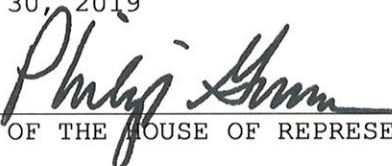
(2) The board of supervisors may authorize the sheriff to maintain a bank account entitled "jail food allowance account" into which shall be deposited all receipts for feeding and keeping prisoners in the county jail, including payments from the board of supervisors at the rate \* \* \* not to exceed Fifteen Dollars (\$15.00) per prisoner per day and all such receipts from municipalities, the United States and any other jurisdictions required to pay the cost of feeding or keeping prisoners contained in the jail. He shall maintain a receipts journal and a disbursements journal, in a form to be prescribed by the State Department of Audit, which will provide the information necessary

to determine the actual cost of feeding the prisoners, which shall not exceed \* \* \* Fifteen Dollars (\$15.00) per prisoner per day, except as provided in subsection (3) of this section. All costs and expenses for such feeding shall be paid from the jail food allowance account and supported by properly itemized invoices. Any funds accumulating in the jail food allowance account in excess of the monthly average expenditures, plus ten percent (10%) for contingencies, shall be paid into the county general fund at least once each calendar quarter.

(3) In the event that prisoners are housed in the county jail by any political subdivision of the state, the county may charge the political subdivision for housing, feeding and otherwise caring for such prisoners an amount not to exceed the payments provided under \* \* \* state law for the keeping in the county jail of persons committed, sentenced or otherwise placed under the custody of the Department of Corrections. Nothing in this section shall be construed to affect payments by the Department of Corrections set by \* \* \* state law for the keeping in the county jail of persons committed, sentenced or otherwise placed under the custody of the Department of Corrections.

**SECTION 2.** This act shall take effect and be in force from  
and after July 1, 2019.

PASSED BY THE HOUSE OF REPRESENTATIVES  
January 30, 2019

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 12, 2019

  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
GOVERNOR

3/21/2019

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